



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/716,356 | 11/21/2000 | Shimpei Ushio | USHIO-2 |

Browdy and Neimark PLLC
624 Ninth Street NW
Washington, DC 20001



FORMALITIES LETTER



OC000000005768101

Date Mailed: 02/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

DOCKETED
MSG: 15AP2001

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 840.

03/15/2001 SSANDARA 00000010 024035 09716356

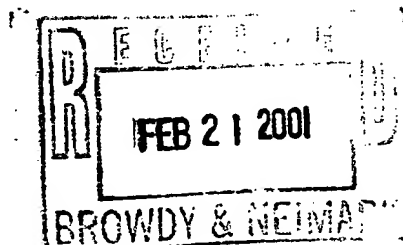
| | |
|-----------|------------|
| 01 FC:101 | 710.00 CH |
| 02 FC:102 | 480.00 CH |
| 03 FC:103 | 1332.00 CH |
| 04 FC:105 | 130.00 CH |

A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Sector

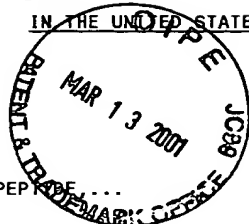
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
USHIO, Shimpei

Serial No.: 09/716,356

Filed: 11/21/2000

For: INTERFERON- γ INDUCING POLYPEPTIDE...



) Application Division
)
) ATTN: Box Missing Parts
)
) Washington, D.C.
) March 13, 2001
)
) Confirmation No.

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir: The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION..." dated February 15, 2001.

- [XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information.
- [] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information, and to which is attached a duplicate copy of the application as filed.
- [] Applicant claims small entity status. See 37 CFR 1.27.
- [] A Communication.
- [] Preliminary Amendment.
- [] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. §1.821-1.825.
- [] Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- [] A certified copy of priority document no. _____, filed _____, is also attached. Priority is claimed.
- [] An Information Disclosure Statement with OBA-1449 and _____ references is also attached.
- [] Change of Address

The following fee is calculated below:

| | (Col.1) | (Col. 2) | Small Entity | | | OTHER THAN A SMALL ENTITY | |
|---|-----------|-----------|--------------|----------|----|---------------------------|------------|
| FOR: | NO. FILED | NO. EXTRA | RATE | FEE | OR | RATE | FEE |
| BASIC FEE | | | | \$355.00 | OR | | \$ 710.00 |
| TOTAL CLAIMS | 94 - 20 | 74 | X 9 = | \$ | OR | X 18 = | \$1,332.00 |
| INDEP.CLAIMS | 09 - 3 | 06 | X 40 = | \$ | OR | X 80 = | \$ 480.00 |
| [] Multiple claims presented | | | + 135 = | \$ | OR | + 260 = | \$ |
| If the difference in Col. 1 is less than 0, enter "0" in Col. 2 | | | TOTAL | \$ | | TOTAL | \$2,522.00 |

- [] Surcharge for late filing of English translation \$ 130.00
- [XX] Late filing of Declaration surcharge in the amount of: Small Entity [] \$65.00 Other than Small Entity [XX] \$130.00
- [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | | |
|-----------------------------|-----------------------------|
| Small Entity | Other Than Small Entity |
| Response Filed Within | Response Filed Within |
| [] First - \$ 55.00 | [] First - \$ 110.00 |
| [] Second - \$ 195.00 | [] Second - \$ 390.00 |
| [] Third - \$ 445.00 | [] Third - \$ 890.00 |
| [] Fourth - \$ 695.00 | [] Fourth - \$1,390.00 |
| Month After Time Period Set | Month After Time Period Set |
- [XX] Conditional Petition for Extension of Time: If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] Credit Card Payment Form (PTO 2038) is authorizing payment in the amount of \$2,652.00, is attached.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: *Sheridan Neimark*
Sheridan Neimark
Registration No. 20,520

SN:tsw